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### SB24-08/09: Additional Damages for Withholding Security Deposit

Trevor Hunter

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**The Associated Students of The University of Montana**  
**Resolution Regarding Additional Damages for Withholding Security Deposit**  
**October 29<sup>th</sup>, 2008**  
**Senate Bill Number 24**  
**Authored by: Trevor Hunter, ASUM President**  
**Sponsored by: Siri Smillie, ASUM Vice President**  
**Matt Fennell, ASUM Senator**

Whereas, the majority of students at the University of Montana live off campus and rent privately from property management companies or independent landlords;

Whereas, housing costs contribute greatly to the overall cost a student pays to attend college;

Whereas, ASUM has a vested interest in reducing barriers to higher education;

Whereas, according to the 2007 US Census population estimate Montana has 372,000 occupied housing units, 113,000, (30 percent) of which are renter occupied;

Whereas, rent is calculated to include the cost of property taxes paid on a residence;

Whereas, renters contribute approximately \$785,124,000 to the Montana economy, and help fund state and local government;

Whereas, most students have limited income, and depend on the timely refund of their security deposit to procure housing for the subsequent rent cycle;

Whereas, the only damages authorized in the Security Deposit Act for wrongful withholding of the security deposit are court costs and attorney fees;

Whereas, treble damages are authorized in other sections of the MRLTA;

Therefore Let It Be Resolved that ASUM supports legislation that authorizes the courts to award additional damages for wrongful withholding of a tenant's security deposit.

Therefore Let It Be Further Resolved that ASUM encourages the Missoula legislative delegation to support these legislative efforts in the 2009 session.

Therefore Let It Be Further Resolved that a copy of this resolution be sent to members of the Missoula legislative delegation.

Passed by Committee: \_\_\_\_\_, 2008

Passed by Senate: \_\_\_\_\_, 2008

\_\_\_\_\_  
Andrew Dusek,  
Relations and Affairs Chair

\_\_\_\_\_  
Siri Smillie,  
Chair of the Senate